IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 12659 of 2005

Between:

1. K.Padmavathi, W/o. Raghuramulu, Occ: Doctor, R/o. Sree Somanadha Kshetram , Vanasthalipuram, Hyderabad.

2. Naini Bhulaxmi, W/o. Ramanaiah, OCC: Housewife, Plot NO.89, Hasthinapuram, R.R.District.

3. Vakiti Srinivasa Reddy, S/o. Anji Reddy, Occ:Student, R/o.3-3-186, L.B.Nagar, R.R.District.

4. Kunuru Saritha, W/o. Venkataramana Reddy, Occ: Household, R/o.Flat No.202, Saptasai Apartments, L.B.Nagar, Hyderabad.

5. S.Buchi Reddy, S/o. Kista Reddy, Occ:Employee, R/o Plot No.35, Saraswathingar, Chinthalkunta, Hyderabad.

6. Alwakonda Venkateswar Reddy, S/o. Ram Reddy, Occ: Employee, R/o. Revenue Quarters, 30-15D2, Nandyala, Kurnool District.

7. A.Laxamma, W/o. A.Dasaratha, Occ: Household, R/o. Saraswathinagar, Bairamalguda, Rangareddy District.

8. Lathupally Vamshidhar Reddy, S/o. Late Lal Reddy, Occ:Agriculture, R/o.Marripally, Amangal Mandal, Mahabubnagar District.

9. G.Narsamma, W/o. Lakshma Reddy, Occ: Agriculture, R/o.Plot 152, Nagarjuna Colony, Vanasthalipuram, Hyderabad.

10. E.Vijaya Reddy, S/o.late E.Buchi Reddy, Occ:Retd Employee, R/o.Plot 24, Vanasthalipuram, Hyderabad.

11. Endurthy Thirupathamma, W/o.E.Vijaya Reddy, Occ; Retd Employee, R/o.Plot 24, Vanasthalipuram, Hyderabad.

12. Byrika Prabhavati, W/o.Mallareddy, Occ: Household, r/o.7-222, MBR Nagar, Ibrahimpatnam, R.R.District.

13. Varakala Kavitha, W/o.V.Girish, aged 27 years, Occ.Housewife, R/o.shop

92/3, Srikrupa Market, Malakpet.

14. Pusthe Prahlad Rao, S/o.Lae P.Adavaia, Occ.Business, R/o.H.No.16-1-486/B;4, Saidabad, Hyderbad.

15. M.Shiv Kumar, S/o.M.Rameshwaraiah, Occ:Business, R/o.H/No.8-2, Tunk Road, Nagarkurnool, Mahabubnagar disrict.

16. K.Shekhar, S/o.K.Narsimha, Occ:Govt. Employee, R/o.Mondigavaralli Village, Yacharam Mandal, Rangareddy District.

17. Dandotikar Deepak Raj, S/o.Vedprakash, Occ:Student, R/o.Dajipath, Solapur, Maharastra.

18. P.Sathi Reddy, S/o.Late P.Veera Reddy, Occ.Business, Azampura, Chaderghat, Hyderabad.

19. S.Rama Chandra Rao, S/o.Pullaiah, Occ:Business, R/o.LIGH, 149, APHB Colony, Medchal Rangareddy District.

20. Narla Ratna Vani, W/o.Prabhakar Rao, Occ;Household, R/o.MIGH, Mehdipatnam, Hyderabad.

21. Y.Madhavi, W/o.Mahender Reddy, Occ:Household, Upperguda Village, Pocharam Post, Ibrahimpatnam, R.R.District.

22. B.Indra Reddy, S/o.Bhoomaiah, Occ:Business, R/o.Plot NO.233, Srinivasapuram, Karmanghat, Saroornagar Mandal, R.R.District.

23. K.Babu Rao, S/o.Bhoomaiah, aged 30 years, Occ:business, R/o.8-6-38/2/14/B, New Venkataramana Colony, Karmanghat, R.R.District.

24. Aluguballi Venkat Reddy, s/o. Ramachandra Reddy, Occ:Business, R/o.Plot No.2, II Ventrue, Hasthinapuram, Sagar Road, Hyderabad.

25. K.Venkat Reddy, S/o.K.Ramachandra rEddy, Occ:Business, R/o.7-97/3, Maruthinagar, Santhoshnagar, Hyderabad.

26. Yarlagadda Ratna Kumari, W/o.Venkat Rao, Occ;housewife, Plot No.200, HMT Nagar, Nacharam, Rangareddy District.

27. Doddi Srinivasulu, S/o.Krishnaiah, Occ:Business, R/o.Saraswathinagar Colony, Sagar Rao, Bairamalguda, Hyderabad.

28. J.Harathi, D/o.J.Venkatesh, Occ:Student, Venkata Lakshmi Apartments, Lakshminagar, Moulali, Hyderabad.

29. K.Seetha, D/o.K.Bheem Reddy, Occ:Student, R/o.Plot No.26, Engineer's Colony, Chinhthalkunta, L.B.Nagar, Hyderabad.

30. Ganji Jyothi, W/o.Kondaiah, Occ:Housewife, R/o.Theratpally Village, Chandur Mandal, Nalgonda District.

31. T.Parijatha, W/o.T.Laxma Reddy, Occ:Housewife, R/o.House No.12-138/1, Vidyanagar, Kalwakurthy, Mahbubnagar, Mahboobnagar District.

32. Muddagouni Raju, S/o.M.Sharavaiah occ:Carpenter, R/o.Thimmapur Village, Kandukur Mandal, R.R.District.

33. Karingu Bucha Reddy, S/o. Late Narayan Reddy, Occ:business,
R/o.H.No.16-1-18/37, Saidabad Colony, Hyderabad.

34. Sreevardhini Rapolu, W/o.Sugunakar Reddy Inavolu, Occ:Housewife,
R/o.H.No.9-6-94, Santhoshnagar, Hyderabad.

..... PETITIONER(S)

AND

1 The State of Andhra Pradesh,

rep., by its Special Chief Secretary,
Revenue Department, Secretariat, Hyderabad.
2 The District Collector,

Ranga Reddy,

Khairatabad, Hyderabad.
3 The District Registrar,

Stamps and Registration,

Ranga Reddy District.
4 The Sub Registrar,

Champapet,

Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the respondent No.4 in not registering and releasing the petitioners' sale deeds as bad, arbitrary, illegal, discriminatory, violative of principles of natural justice and contrary to G.O.Ms.No. 807 Revenue (Regn I) Department dated 13-10-2004 and consequently direct the respondent NO.4 to release the sale deeds of the petitioners after due registration of their plots.

Counsel for the Petitioners: Mr. P.VENKATESWAR RAO

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

2. This Writ Petition is filed questioning the action of the 4th respondent-Sub-Registrar, Champapet, Rangareddy District, in not registering and releasing the sale deeds of the petitioners as per G.O.Ms.No. 807, Revenue (Registration-I) Department,
dated 13-10-2004, as illegal, arbitrary, discriminatory, violative of principles of natural justice and contrary to G.O.Ms.No. 807 dated 13-10-2004 and consequently to direct the 4th Respondent to release the sale deeds of the petitioners after due registration of their respective plots.

3. The petitioners contend that they purchased certain residential plots in S.Nos.57 to 60, situated at Karmanghat village, Saroornagar Mandal, Rangareddy District, and they were in possession and enjoyment of the same from 1982 onwards. They paid the requisite registration fee and submitted their sale deeds to the 4th respondent for registration. But, the 4th respondent refused to register the sale deeds on the ground that the State Government had issued G.O.Ms.No.751 dated 12-12-2001, wherein it was declared that registration of documents of immovable property in the said survey numbers was opposed to public policy. All the Sub-Registrars were directed not to register any sale deeds pertaining to the said survey numbers and to pass refusal orders. Subsequently, Government issued G.O.Ms.No.807 dated 13-10-2004 under sub-Section 1 of Section 22-A of the Registration Act, 1908, de-notifying the earlier notification issued in G.O.Ms.No.751 dated 12-12-2001 in respect of the lands situated in the said survey numbers.

4. It is the case of the petitioners that in the light of G.O.Ms.No.807 dated 13-10-2004, the objections raised by the 4th respondent, on the basis of G.O.Ms.No.751 dated 12-12-2001, does not exist. The petitioners placed reliance on the judgment of this Court in W.P.No.11805 of 2005 dated 07-06-2005, wherein this Court directed the respondents to release the documents presented by the petitioners for registration without raising any objection on the basis of the said G.O.Ms.No.751 dated 12-12-2001. However, this Court made it clear that the order passed in W.P.No.11805 of 2005 dated 07-06-2005 did not disable the registering authority to withhold the registration of documents, if there were some other objections for the

registration of the documents, other than on the basis of G.O.Ms.No.751 dated 12-12-2001 and if there be other objections, the registering authority was directed to communicate such objections to the petitioners.

5. Accordingly this Writ Petition is also disposed of in terms of the order passed in W.P.No.11805 of 2005, dated 07-06-2005 with the following directions: The respondent shall release the documents presented by the petitioners for registration without raising any objections on the basis of G.O.Ms.No.751 dated
12-12-2001. The registering authority, however, is not disabled from withholding registration if there are some other objections to the registration of the documents other than on the basis of G.O.Ms.No.751 dated 12-12-2001. If there be other objections, the registering authority shall communicate such objections to the petitioners.

6. The Writ Petition is disposed of accordingly.

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(RAMESH RANGANATHAN,J)

15th June, 2005.

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To

1 The Special Chief Secretary,

State of Andhra Pradesh,

Revenue Department, Secretariat, Hyderabad.

2 The District Collector,

Ranga Reddy,

Khairatabad, Hyderabad.

3 The District Registrar,

Stamps and Registration,

Ranga Reddy District.

4 The Sub Registrar,

Champapet,

Ranga Reddy District.

5 Two CCs to the G.P for Revenue,

High Court Buildings, Hyderabad(OUT)

6 Two CD copies

7 One CC to MR.VENKATESWAR RAO